

April 3, 2018

**ERIE COUNTY COUNCIL – Regular Meeting**

Chairman Foust called to order a Regular Meeting of the Erie County Council at 7:00 p.m. at the Erie County Council Chambers, 140 West 6<sup>th</sup> Street, Room 117, Erie, PA. Following the Pledge of Allegiance, Mrs. Loll read the following prayer:

“Almighty God, as we stand here, at this moment, we beseech that Thou will make full and complete our dedication to the service of the people in this throng and our fellow citizens everywhere. Especially we pray that our concern shall be for all the people, who under the concept of our government, hold to differing beliefs, so that all may work for the good of our beloved County and for Thy glory. Amen.

**Roll Call**

Following the Pledge of Allegiance, the County Clerk called the roll:

- Members Present:

Mr. Anderson  
Mrs. Fatica  
Mr. Horton  
Mr. Leone  
Mrs. Loll  
Mr. Rastetter  
Dr. Foust
- Members Absent:

None.
- Also Present:

Douglas R. Smith, County Clerk  
Sue Ellen Pasquale, Manager of Accounting  
James Sparber, Director of Finance  
Thomas Talarico, Solicitor

**Hearing of The Public**      None.

**Approval of Minutes**      Mr. Leone moved to approve the minutes from the March 20, 2018, Regular Meeting. This was seconded by Mrs. Loll and carried in a unanimous roll call vote.

**Reports of County Officials**

Mrs. Fatica stated that the Finance Committee met on March 29, 2018, and agreed to place Ordinances 23 through 26 under Old Business, Ordinances 27-30, Resolutions 25 through 31, 2018, six board appointments, and a sale of parcel under New Business on the agenda.

Mr. Horton stated that the Personnel Committee met immediately following the Finance Committee meeting and agreed to place Ordinances 31 and 32 on the agenda.

Mr. Leone commented about the Public Health fund ordinances on tonight’s agenda and read the following statement: “Act 12 state funding has been reduced by 65% for a reduction of \$241,956 in revenue from the Environmental and Administrative division. In an effort to continue this operation, there is a need to move funds from various areas to continue these issues with the Health Department. There is also a need to increase in fees in various areas where vendors are concerned. Is this a necessary function of Health Department? The answer is yes. It is not only a necessary function of the Health Department, it is a mandated service from the State. What are we doing by doing this? We are again bailing out the State from its responsibilities. To me, it’s not fair to the taxpayers and vendors in the community. It is just another problem that is added to Council’s responsibilities. Resolution 31 refers to the unfunded mandates from the State and Federal government. I will vote for it, but I am certain it will fall on deaf ears.”.

Mr. Horton commented that today is April 3<sup>rd</sup>, 50 years ago today Dr. Martin Luther King gave his final sermon entitled, “I’ve Been to the Mountaintop”. Less than 24 hours later, he was

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assassinated. Mr. Horton wanted to acknowledge that and remind all of how many days since the 24 Wall Street/USA Today article was written. He stated that this community is undergoing a renaissance for the better and best days are ahead, but a certain demographic where poor people are being left behind. This shouldn't be. He commented that various groups have gone to Cincinnati and parts thereof and have come back saying that Cincinnati has a great plan. The Erie Refocused Plan should be patterned after Cincinnati. There is talk about all the great merits of the Cincinnati plan, but the one vital thing in Cincinnati's plan that is never talked about is the part where they say don't forget about the poor. He is asking whoever has a voice, raise that voice because societies tend to be judged on how they treat those that are least amongst them.

### **OLD BUSINESS**

Dr. Foust explained to the audience that ordinances in the County need to be voted on twice, so these under Old Business have already had one reading and they will be voted on up or down. Some of them will be voted on to be moved to 2<sup>nd</sup> readings to take advantage of issues of timeliness, and others will only be read once and voted on at the next meeting. Resolutions only require one vote so there is a distinction between the two. He also explained that the projector screen will show a bit more information on each item.

#### **Ord. 23, 2018 – PH Revised Rev. & Exp. From Reduc. In Act 12 Funding**

Mr. Smith gave a second reading of Ordinance Number 23, 2018, "Third 2018 Public Health Fund Budget Revised Revenue & Expenditures of \$143,026; Supplemental Appropriation of \$98,930 from a Reduction in Act 12 Funding". This was moved by Mrs. Fatica, seconded by Mrs. Loll, and carried in a 6-1 vote, with Mr. Leone voting No.

#### **Ord. 24, 2018 – GF SA for Reduction In Act 12 Funding**

Mr. Smith gave a second reading of Ordinance Number 24, 2018, "Twelfth 2018 General Fund Budget Supplemental Appropriation Of \$72,788 For Reduction In Act 12 Funding". This was moved by Mrs. Fatica, seconded by Mrs. Loll, and carried in a 5-2 vote, with Mr. Leone and Mr. Rastetter voting No.

#### **Ord. 25, 2018 – PH SA in Add'l Tobacco Grant Revenue**

Mr. Smith gave a second reading of Ordinance Number 25, 2018, "Fourth 2018 Public Health Fund Budget Supplemental Appropriation Of \$128,272 In Additional Tobacco Grant Revenue". This was moved by Mrs. Fatica, seconded by Mrs. Loll, and carried in a 6-1 vote, with Mr. Leone voting No.

#### **Ord. 26, 2018 – Revised Env. Fee Schedule**

Mr. Smith gave a second reading of Ordinance Number 26, 2018, "2018 Revised Environmental Fee Schedule In The Erie County Department Of Health". This was moved by Mr. Anderson, seconded by Mrs. Fatica, and carried in a 6-1 vote, with Mr. Leone voting No.

#### **Motion to Amend Agenda**

Mr. Leone then moved to amend the agenda and moving Ordinances 27-30 and 32 to a second reading, and adding the appointment of Denzel Keith to the Erie County General Authority. This was seconded by Mr. Anderson and carried in a unanimous roll call vote.

### **NEW BUSINESS**

#### **Ord. 27, 2018 – GF SA Stonegarden Grant FY 2017-2020**

Mr. Smith gave a second reading of Ordinance Number 27, 2018, "Thirteenth 2018 General Fund Budget Supplemental Appropriation of \$130,000 and Creation of Line Items for Stonegarden Grant FY 2017-2020". This was moved by Mr. Leone, seconded by Mr. Horton, and carried in a unanimous roll call vote.

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**Ord. 28, 2018 – GF SA  
Stonegarden Grant  
Admin. Costs**

Mr. Smith gave a second reading of Ordinance Number 28, 2018, “Fourteenth 2018 General Fund Budget Supplemental Appropriation of \$5,000 and Creation of Line Items for Stonegarden Grant Administrative Costs”. This was moved by Mr. Horton, seconded by Mr. Leone, and carried in a unanimous roll call vote.

**Ord. 29, 2018 – PF  
SA for Act 152  
Demolition Fee**

Mr. Smith gave a second reading of Ordinance Number 29, 2018, “First 2018 Planning Fund Budget Supplemental Appropriation of \$157,000 and New Line Items for Act 152 Demolition Fee”. This was moved by Mr. Leone, seconded by Mrs. Loll, and carried in a unanimous roll call vote.

**Ord. 30, 2018 – GF SA  
New Lines for Tx.  
Of Act 152 Demolition  
Fees to Planning**

Mr. Smith gave a second reading of Ordinance Number 30, 2018, “Fifteenth 2018 General Fund Budget Supplemental Appropriation of \$157,000 and New Line Items for Transfer of Act 152 Demolition Fees to Planning”. This was moved by Mr. Leone, seconded by Mrs. Loll, and carried in a unanimous roll call vote.

**Ord. 31, 2018 – PF  
SA for Comm. &  
Econ. Dev. Data  
Collection**

Mr. Smith gave a first reading of Ordinance Number 31, 2018, “Second 2018 Planning Fund Budget Supplemental Appropriation of \$52,500 and New Line Items for Community and Economic Development Data Collection”.

**Ord. 32, 2018 – GF  
Rev. Exp. For Temp.  
Staff Line in PD’s**

Mr. Smith gave a second reading of Ordinance Number 32, 2018, “2018 General Fund Budget Revised Expenditures of \$2,500 and Creation of ‘Temporary Staff’ Line Item”. This was moved by Mrs. Loll, seconded by Mr. Leone, and carried in a unanimous roll call vote.

**Res. 25, 2018 – In  
Support of Conveyance  
Of Headwaters Park  
To Conservation District**

Mr. Smith gave a reading of Resolution Number 25, 2018, “Resolution in Support of Conveyance of Headwaters Park from the County of Erie to Erie County Conservation District”. This was moved by Mr. Leone, seconded by Mr. Anderson, and carried in a unanimous roll call vote.

**Res. 26, 2018 – In  
Support of Amend.  
County’s Policy RE:  
Act 101**

Mr. Smith gave a reading of Resolution Number 26, 2018, “Resolution in Support of Amending the County’s Policy Statement Regarding the Disposition of Funds from the Erie County Act 101 Site-Specific Post-Closure Trust Fund Account”. This was moved by Mr. Leone, seconded by Mr. Anderson, and carried in a unanimous roll call vote.

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**Res. 27, 2018 – In  
Support of Erie  
County Cons. Dist.  
DCNR C2P2 Grant**

Mr. Smith gave a reading of Resolution Number 27, 2018, “In Support of the Erie County Conservation District’s Department of Conservation and Natural Resources Community Conservation Partnership Program Grant: Headwaters Park and Trail Development Project”. This was moved by Mr. Anderson, seconded by Mr. Leone, and carried in a unanimous roll call vote.

**Res. 28, 2018 – In  
Support of CDC  
Investigation of  
Deaths/Injuries  
By Firearms**

Mrs. Fatica read the following statement:

“The CDC is the nation’s health protection agency saves lives and protects people from health threats. To accomplish the mission, the CDC conducts critical science and provides health information that protects our nation against expensive and dangerous health threats and respond when they arise. I think it is especially appropriate for us to do this as a step today and I’m thinking about the action by so many of our nation’s youth, and especially the eloquence of the 9 year old granddaughter of Dr. Martin Luther King, who said, ‘I have a dream – enough is enough’. I am asking my colleagues to join me in taking this first step.”.

Mr. Smith gave a reading of Resolution Number 28, 2018, “In Support of CDC Investigation of Deaths and Injuries Caused by Firearms”. This was moved by Mrs. Fatica, seconded by Mr. Horton, and carried in a 6-1 vote, with Mrs. Loll voting No.

**Res. 29, 2018 –  
Urging CCAP  
To hold Annual  
Conf. in Erie**

Mr. Smith gave a reading of Resolution Number 29, 2018, “Urging the County Commissioners Association of Pennsylvania to Hold its Annual Conference in Erie, Pennsylvania in 2023”. This was moved by Mr. Horton, seconded by Mr. Leone.

Dr. Foust commented that most members have been here for the previous two times the conference was held in Erie and it was a rousing success. He hopes they consider coming back in 2023.

This resolution passed in a unanimous roll call vote.

**Res. 30, 2018 – Req.  
To Rehab. PRM East**

Mr. Smith gave a reading of Resolution Number 30, 2018, “Request to Rehabilitate Former Pleasant Ridge Manor East Property”. This was moved by Mr. Leone, seconded by Mr. Horton.

Mr. Leone reminded everyone that the County spends \$45,000 to \$60,000 per year to maintain an empty building. He feels it is time for something to be done to change that. He is in favor of renovating it even on a piecemeal basis and put some of the County government departments in that building. He hopes that the County Executive looks at this in a more positive manner than she has in the past.

Dr. Foust agreed with Mr. Leone 100% and he commended both Mr. Leone and Mr. Horton for bringing the resolution forward. Hopefully it will bear more fruit than the last time it was tried.

This resolution then passed in a unanimous roll call vote.

**Res. 31, 2018 – Relief  
From Unfunded State  
& Fed. Mandates**

Mr. Smith gave a reading of Resolution Number 31, 2018, “Erie County Urges Relief from Unfunded State and Federal Mandates”.

Mr. Anderson commented that this resolution was brought forth in response to the Governor’s mandate regarding voting machines. The County would have to burden the cost of new machines with the paper trail and they want this done by 2020. The potential cost for the County is estimated between \$8 and \$12 million. There is hope that there will be HAVA money for further relief. This is a very costly burden on the local taxpayer and he hopes the state and federal government realize this issue. The estimates are that they would come through with about 1/3 of the cost, leaving the County responsible for \$4-6 million to put on the shoulders of taxpayers. Several other issues have since come up, including with the Health Department and PRM not being reimbursed the same way that private nursing homes are reimbursed. There are growing discrepancies in the way in which the State and Federal government is putting forth mandates but failing their responsibility and accountability to bring the funding along with that. He agrees with Mr. Leone that this will fall on deaf ears it’s time to push back and let the public know where the responsibility lies and hold their feet to the fire.

This resolution was moved by Mr. Leone, seconded by Mr. Horton, and carried in a unanimous roll call vote.

**BOARD/AUTHORITY**  
**APPOINTMENTS**

Mr. Leone made a motion to approve the following appointments in one vote. This was seconded by Mrs. Loll and carried in a unanimous roll call vote.

- Possible appointment of Hallie Renee Hilinski to the Erie County Human Relations Commission
- Possible appointment of Jim Cardman to the Erie County Planning Commission.
- Possible appointment of John Groh to the Erie County Planning Commission.
- Possible reappointment of Paul Pangratz to the Erie County Planning Commission.
- Possible appointment of Rob Stubenbort to the Erie County Planning Commission.
- Possible appointment of Ronald Wilson to the Erie Metropolitan Transit Authority.
- Possible appointment of Dr. Denzel Keith to the Erie County General Authority and Erie County Community Services Financing Authority.

**SALE OF PARCELS**

Mr. Leone moved to approve the Sale of Parcels from Repository for Unsold Property at Index Number 28-009-013.0-017.00. This was seconded by Mrs. Loll and carried in a unanimous roll call vote.

There being no further business, the meeting then adjourned at 7:29 p.m.

Deneé M. Breter, Council Secretary

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